

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Social Welfare - Hyderabad District – Bakaram Village Musheerabad Mandal – Land Acquired to an extent of 3510.92 Sq.Yds in T.S.No. 26/2/4,5,6, Block-B, Ward-76 for construction of Dr. Br. Ambedkar Community Hall – Sanction of Rs.1,46,73,761/- towards balance decretal charges, in OP.Nos., 55/89, 62/89, 379/89, 380/89 – Orders - Issued.

SOCIAL WELFARE (LA) DEPARTMENT

G.O Rt.No. 953

Dated: 23.11.2011

Read the following:-

1. From the District Collector, Hyderabad D.O Lr.B2/1146/97, dated 04.5.2009.
2. From the Commissioner of Social Welfare, A.P, Hyderabad. Lr.No.LA2/050/2009, dated 15.5.2009.
3. Govt. Memo.No.7781/SW.LA-2/2009, dated 20.10.2009.
4. Govt. Memo.No.7781/SW.LA-2/2009, dated 03.02.2010.
5. From the Spl Chief Secretary to Government & Chief Commissioner of Land Administration, A.P, Hyderabad. Lr.No.G3/897/2008, dated 08.6.2010.
6. Govt. Memo.No.7781/SW.LA-2/2009, dated 20.10.2010.
7. From the Spl Chief Secretary to Government & Chief Commissioner of Land Administration, A.P, Hyderabad. Lr.No.G3/897/2008, dated 07.01.2011.

ORDER:

In the reference 5th read above, the From the Special Chief Secretary to Government & Chief Commissioner of Land Administration, A.P., Hyderabad as reported by the District Collector, Hyderabad has stated that the LAO/Spl Dy. Collector, Hyderabad (General) has acquired land to an extent of 713 Sq. Meters (or) 853 Square Yards in TS.No.26/2/4,5,6 Block-B, Ward-76 of Bakaram (V), Musheerabad (M) of Hyderabad District for construction of Dr. Br. Ambedkar Community Hall in Award No.B2/799/87, dated 23.4.1988 (Ordinary) duly fixing the land value @ Rs.55/- per Square Yard. Further the land measuring 4191 Square. Yards in the said Town Sy. Number has been acquired fixing the land value @ Rs.55/- per Sq. Yd under LA Act, by passing Award No.B/799/87, dated 12.01.1989 (Urgency). Both the awards have passed U/s 30 of LA Act. The awarded compensation have been deposited with Civil Court of competent jurisdiction. Aggrieved by the fixation of the land value @ Rs.55/- per Square Yard the claimants have filed petitions U/s 18 of the LA Act. Some of the petitions were taken up as OP. Nos 55/89, 62/89, 379/89, 380/89 and 381/89, by the 1st Class Sr. Civil Judge, City Civil Court, Hyderabad The Hon'ble Court in its orders dated 29.12.2000 in OP.Nos.55/89, 62/89, 379/89 and 380/89, have enhanced the land value from Rs.55/- to 500/- per Square Yard. Aggrieved by the trial Court Judgment the appeal was preferred by the LAO/Spl. Dy. Collector, Hyderabad (General) and counter appeals have been filed by the claimants. The Hon'ble High Court has taken up the above appeals and counter appeals as CCCA Nos.121, 23, 26, 58, 119 of 2002 and 381 of 2003 and 180 of 2001 and Cross Objections. The division bench of Hon'ble High Court in its orders dated 31.01.2006 in City Civil Court Appeal No.121, 23, 26, 58, 119 of 2002 and 381 of 2003 and 180 of 2001 and Cross Objections, has dismissed the appeals filed by LAO/Spl.Dy. Collector, LA(General) Hyderabad, partly allowed the Cross Appeals of claimants and enhanced the land value from Rs.500/- to Rs.800/- per Square Yard. The GP for Appeals, Hon'ble High Court of A.P., Hyderabad has opined that he did not find any grounds to prefer an appeal and advised to comply with the Hon'ble High Court orders. Accordingly the District Collector, Hyderabad has submitted proposals for sanction an amount of Rs.1,33,59,802/- towards payment of balance decretal charges in OP.Nos 380/89, 379/89, 55/89 and 62/89 for the land acquired to an extent of 3510.92 Square

PTO

Yards in TS.No.26/2/4,5,6 Block-B, Ward-76 of Bakaram (V), Musheerabad (M) of Hyderabad District for construction of Dr. Br. Ambedkar Community Hall. The claimants have filed EPs 130, 131, 132 & 133 of 2008 in OP. Nos. 380, 55, 379 and 62 of 1989 respectively before 1st Class Sr. Civil Judge, City Civil Court, Hyderabad seeking deposit of the total decretal amount of Rs.1,46,73,761/- as per the calculations made by the Decree Holders payable up to 31.3.2010 in Square Yards.

In the reference 7th read above, the From the Special Chief Secretary to Government & Chief Commissioner of Land Administration, A.P., Hyderabad has furnished the calculation Memo in EPs finalized by the Dist. Collector, Hyderabad and indicated the extent of land and balance amount payable as below:-

Sl.No.	E.P.No	O.P.No	Sq.Yds @ Rs.800/- per Sq.Yd	Amount in (Rs.)
1	133/08	62/1989	213	10,51,153-12
2	132/08	379/1989	523.87	21,79,902-45
3	131/08	55/89	469	19,49,437-44
4	130/08	380/89	2305	94,93,374-04
Total			3510. 87	14673867.05

The From the Special Chief Secretary to Government & Chief Commissioner of Land Administration, A.P., Hyderabad has requested the Government for issue of orders in the matter.

3. After careful examination of the matter, Government hereby accord permission to the Commissioner of Social Welfare, A.P., Hyderabad to release an amount of Rs 1,46,73,761/- (Rupees One Crore Forty Six Lakhs Seventy Three Thousand Seven Hundred and Sixty One only) to the District Collector, Hyderabad towards payment of balance decretal charges in O.P. Nos., 55/89 62/89, 379/89 and 380/89 as per the orders of Hon'ble High Court in AS. Nos. 180/2001, 121, 23, 26, 58, 119 of 2002 and 381/2003 for the land acquired to an extent of 3510.92 Square Yards in TS.No.26/2/4,5,6 Block-B, Ward-76 of Bakaram (V), Musheerabad (M) of Hyderabad District for construction of Dr. Br. Ambedkar Community Hall.

4. The expenditure sanctioned in para (3) above shall be met within the BE.2011-12 and debited to the following Head of Account.

“2225-Welfare of Scheduled Castes, Scheduled Tribes and other Backward Classes – 01 – Welfare of Scheduled Castes – M.H.283- Housing – G.H.11-Normal State Plan – SH(08) Acquisition of House Sites to weaker sections under Indiramma Programme – 310/312 – Other Grant – in – Aid” only.

6. The Commissioner of Social Welfare, A.P., Hyderabad is directed to issue necessary proceedings to the District Collector, Hyderabad accordingly.

7. The District Collector, Hyderabad shall verify the calculation sheet submitted by the Land Acquisition Officer once again, before issue of proceedings for releasing the amount. If any discrepancy/excess claim is found in the calculation sheet in future, the Land Acquisition Officer shall be held solely responsible.

Contd..,

8. This order issued with the concurrence of Finance (Expr.SW) Department, vide their U.O No. 27299/328/A1/Expr.SW/2011, dated 25.10.2011

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

J. RAYMOND PETER
PRINCIPAL SECRETARY TO GOVERNMENT

To

The From the Special Chief Secretary to Government & Chief Commissioner of Land Administration, A.P., Hyderabad.

The Commissioner of Social Welfare, A.P., Hyderabad,

The District Collector, Hyderabad,

Copy to:

The Director of Treasury & Accounts, A.P., Hyderabad,

The Accountant General, A.P., Hyderabad,

The District Treasury Officer, Hyderabad, District.

Finance (Expr.SW/BG) Department

SF/SC.

//FORWARDED::BY ORDER//

SECTION OFFICER